

MEMBERS RESENT THE CHARGES OF GRAFT AND CALL FOR INVESTIGATION

(From Wednesday's Advertiser.)

The House bill regulating the treatment of leprosy received final endorsement at the hands of the Senate yesterday after several abortive attempts had been made to weaken its efficacy with puerile amendments. As finally passed by the Senate the bill is but slightly changed from the measure as it was passed in the House of Representatives, and there will be no necessity for the measure going to a conference committee for arbitration.

The bill providing for the deposit of territorial funds in banks was also passed. Senator Moore, who raised an objection Tuesday to the absence of a limitation clause as to the amount to be deposited, reeled from his stand that deposits should be limited to fifty per cent. of available funds in the Treasury. He offered an amendment making the limit seventy-five per cent., and it was adopted without opposition.

The appropriation bill was taken up in the afternoon. The two most important changes in the bill as passed by the House was the insertion of an item for a bacteriologist at \$175 per month and the restoration of the salary of the president of the Board of Health to its present figure of \$275 per month. The House fixed the salary at \$150, it being understood that Secretary Mott-Smith was prepared to take up the work.

Petition Received.

Senator Makekau submitted a petition signed by eight residents of Oahu and sixty residents of Kauai, asking favorable legislative action on the bill making it mandatory that all persons suspected or known to have leprosy be treated at the Kalili receiving station for six months before being sent to Molokai. The petition was referred to the Health Committee.

The Judiciary Committee reported on House Bill No. 154, further safeguarding the taking of property by railroad companies under power of eminent domain, which was recommended to the committee for an amendment that would fix the time in which appraisal must be made for the purposes of condemnation. The amendment submitted by the committee was adopted, stating that the appointment of appraisers shall be invalidated if they do not hear and determine a case within six months of their appointment. The bill passed second reading with a few changes in the verbiage and construction.

Governor's Message No. 2, on appointments, was on the order of the day for the consideration of the names that were deferred at the secret session last week on the ground that some of the departments may be consolidated.

Senator McCarthy moved that the message be deferred until after the appropriation bill had received final consideration at the hands of the Senate. The motion went through the formality of being adopted.

Library of Hawaii.

Senator Fairchild of the Ways and Means Committee returned the House Bill providing for the establishment and maintenance of a library of Hawaii, with a verbal report that the favorable report of the Education Committee be adopted. This was done without a dissenting vote and the bill passed on second reading.

OF THE MULTITUDES

who have used it, or are now using it, we have never heard of any one who has been disappointed in it. No claims are made for it except those which are amply justified by experience. In commending it to the afflicted we simply point to its record. It has done great things, and it is certain to continue the excellent work. There is—we may honestly affirm—no medicine which can be used with greater and more reasonable faith and confidence. It nourishes and keeps up the strength during those periods when the appetite fails and food cannot be digested. To guard against imitations this "trade mark" is put on every bottle of



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Senate Bill No. 86, with its vicious features removed by amendment, passed third reading with a full vote. Coelho submitted an amendment limiting the application of remedial agencies in such a way that it is now a spurious attempt to let down the bars to quack pretensions.

Senator Moore introduced a bill providing for the assessment of property benefited by the Honolulu sewer system. The first section of the measure reads as follows:

"All lots or parcels of land fronting on any street, lane or highway, lane or alleyway in which there may be a sewer of the Honolulu Sewer System, shall be assessed a proportionate part of the cost of construction of the frontage of such lots or parcels of land on the streets, highways, lanes, alleyways as aforesaid. The cost of construction of the Honolulu Sewer System shall be determined by adding to the amount expended by the Territory of Hawaii, to wit, \$583,351.79, the total of the amounts expended, by the owners of lands assessed under this act, for laying sewer pipes in the streets connecting the sewer pipe from such lots with the sewers of the Honolulu Sewer System."

The bill was passed to print. Senate Bill No. 130 passed third reading with a full vote. It regulates the requirement of property by churches and other religious institutions.

House Bill No. 91, the measure allowing the deposit of territorial funds in banks, passed third reading after the adoption of an amendment offered by Moore, fixing the limit of deposit to seventy-five per cent. of the available funds in the Territorial Treasury.

Pass Leprosy Bill.

House Bill No. 165, the bill to regulate the treatment of leprosy was taken up on third reading. Senator Makekau offered an amendment providing for the insertion of a clause providing that treatment of lepers could be undertaken by "any person claiming that he has a remedy for the cure of leprosy." Senators Fairchild and Smith showed the fallacy of the Makekau amendment. Senator Smith said that such a provision would complicate the whole machinery of treatment, and would be contrary to the undertaking with the United States government on the methods of treatment and policy to be pursued under the granting of Federal aid. The amendment was lost, those voting in favor of it being Senators Makekau, Baker, Brown, Robinson and Coelho.

Makekau had another puerile amendment that sought to differentiate between persons afflicted with the disease and those capable of spreading it. Senator Smith showed the danger of the idea, and the amendment was lost.

Senator Baker thought that the clause directing the apprehension of suspects was open to misinterpretation and injustice to police officers. He maintained that people might be temporarily segregated through the report of someone who was prejudiced against them. He also insisted that the general definition of the disease as in the bill was too broad. Baker was supported in his view by Senator Robinson. Baker moved to strike out the entire section, but the motion was lost. The bill passed third reading, 10 to 5, Baker, Harvey, Chillingworth, Coelho and Makekau voting against it.

The Veto Measure.

The message from Governor Frear, vetoing House Bill No. 35, was received and read as follows:

To the Legislature: I herewith return, without my approval, House Bill No. 35, entitled "An Act to amend section 1 of Act 28, Session Laws of 1907, to designate the pay of laborers engaged in constructing and repairing roads, bridges or streets, waterworks or other works for the Territory of Hawaii or for any political subdivision thereof."

The purpose of the bill is to prescribe a minimum wage of \$1.50 a day for laborers engaged on public works. Aside from questions of constitutionality, there are many reasons, both of economic principles and special conditions, why this bill should not become law. It will be unnecessary to attempt to state all of these.

The bill would frustrate its own general object, which is that of benefiting laborers, for it would necessitate the dismissal or nonemployment of many laborers who would otherwise be employed. If the funds available for the employment of labor on public works were unlimited, the case might be different; but, with the funds very much limited as they are, it is obvious that if wages were increased fewer laborers would be employed. The bill may be prompted by a worthy desire to benefit the laboring class, but results are not always what they are intended to be, and in this case true friendship for the laboring class can best be shown by looking at the real rather than the apparent effect. The bill might benefit some laborers, but it would be against the interests of the laboring class as a whole, for it would prevent many from obtaining employment.

Moreover, less would be accomplished in maintaining roads and other public improvements in good condition and in constructing new ones, and that would be to the detriment of all people in the Territory and tend to lessen or prevent an increase of taxable values

and therefore tend to diminish the amount which would be obtained by taxes in the future with which laborers might be hired.

Further, the financial status of the Territory and the several counties is such that the rate of wages can not safely be raised arbitrarily at the present time even if it would be wise to attempt to do so under better financial conditions.

Action on the veto was postponed until today.

The Loan Bill.

Senate Bill No. 123, the loan bill, was taken up on second reading. Coelho offered an amendment striking out all the items except the appropriation of \$100,000 for the Kula pipeline. The bill passed second reading without a dissenting vote.

Senate Bill No. 140, providing for the reimbursement of the Territory for the cost of the Kula pipeline, was taken up on second reading. The measure was passed, despite the fact that President Smith called attention to what appeared to be obscurity in the character of its language.

House Bill No. 90, relating to the appointment of jailers by the sheriff and placing the power in the sheriff's hands, passed second reading.

Robinson said that the bill providing the turning over of the jails to the county should be passed before a measure embodying a transfer of Territorial authority should be properly considered. Senator Chillingworth also questioned the wisdom of acting on the bill at the present time.

The bill was passed on second reading through the adoption of the favorable report of the Judiciary Committee majority. Chillingworth dissenting. Senate Concurrent Resolution No. 8, memorializing Congress to grant new homestead laws to the Territory, was referred to the Public Lands Committee.

The Taxation Question.

House Bill No. 180, a taxation bill, was deferred until this morning to be taken up in committee of the whole with four other bills dealing with the question of taxation.

House Bill No. 184, on land registration, and House Bill No. 185, on delinquent children, were referred to the Judiciary Committee.

Senate Bill No. 139, allowing counties to impose a special tax of not more than one-quarter of one per cent. to meet the expense of internal improvements, was referred to the special committee on taxation on the request of Senator Knudsen. The bill was introduced as a substitute for the loan bill by the Ways and Means Committee majority.

Since the loan bill is approved in amended form on second reading, including only the \$100,000 provision for the Kula pipeline, Senator Fairchild observed that there was no particular object to the bill. A motion was made to table it, but was deferred by referring it to the special committee on taxation.

Notification was received from the House, stating that it had failed to concur in the Senate amendments to House Bill 138, the merchandise license bill. President Smith named Senators Coelho, Fairchild and Harvey as members of the conference committee.

The Judiciary Committee presented a favorable report on House Bill No. 153, establishing educational and taxation districts, drawn to take the place of a similar measure vetoed by Governor Frear. Senator Kalama offered an amendment, substituting ditches for the triangulation stations used as official boundaries for the district of Wailuku. Senator Knudsen and President Smith showed that the ditches could not be considered as permanent boundaries. Kalama's amendment was not seconded and the bill passed on second reading as reported by the committee.

Appropriation Bill.

Robinson moved that the salary of the president of the Board of Health be increased to \$275, the former rate, in preference to the \$150 in the House Bill. The motion was carried. Fairchild explained that the salary was reduced so the Secretary of the Territory could take up the duties of president of the Board of Health in addition to his other work.

The items of secretary, clerk and stenographers were taken up from Senate Bill No. 49, the Governor's estimate. On the question of whether the Board of Health was to be turned over to the county, Senator Chillingworth moved that the sense of the Senate be that it was opposed to the transfer of control at this time. The motion was carried unanimously on a standing vote.

The item of secretary was passed at \$175; clerk at \$4320; stenographer at \$90; janitor and messenger, \$50; expenses, \$10,000.

Under the heading of sanitation Senator Fairchild questioned the item of \$17,280 on the ground that it was distinctly a county affair and that the Territory as a whole should not bear the expense. The item was passed, Senator Smith contending that the whole Territory was affected by the health conditions of Honolulu.

A Salary Raise

On the motion of Makekau the salary of the sanitary inspector for the island of Hawaii was raised from \$150 to \$165. Makekau also moved that the salary of the assistant be increased from \$50 to \$85. Brown said that the Shippers Committee now paid the assistant \$35 a month in addition to his government salary. The amendment was carried.

Returning to the Board of Health inspectors, Quinn suggested that the office of sewer inspector of the Department of Public Works and Chief Inspector of Sanitation, Board of Health, be combined in one office with a salary of \$165 a month. The amendment was carried.

Coelho moved for the insertion of an item for a health inspector for the island of Maui at \$125, and an assistant at \$85. Senator Smith said that one inspector at \$125 should be enough. Robinson wanted an inspector at \$200 and an assistant at \$85. The motion to provide for an inspector was carried at \$125. Coelho then moved for an assistant inspector, but there was no second to the motion.

For Pure Food.

Under the heading of pure food, the item of \$125 for a food commissioner and analyst in the House bill appropriation was raised to \$150.

The question of a meat inspector, dropped by the House, was brought up by Senator Chillingworth. Fairchild

maintained that meat and milk inspection was distinctly a county matter and that all of the expense should be borne by the City and County of Honolulu.

Replying to a question raised by McCarthy as to whether the counties were to receive enough revenue to meet increased obligations under the transfer system, Fairchild said that there would be a balance of \$46,000 over expenses if the bills affecting the subject were passed.

Bainert Bacteriologist.

Provision for a meat inspector at \$150 and milk and dairy inspector at \$75 were inserted, and on Senator McCarthy's motion provision for a bacteriologist and pathologist was inserted at \$175 a month.

An item for a physician on the Island of Molokai was raised from \$75 to \$125 on the motion of Kalama. Kalama stated that it was difficult to keep a physician on the island because of the low salary. The physician in question has no connection with the Settlement.

The statement was made that people living on the island were actually deprived of any sort of medical attendance because of the refusal of physicians to remain there at \$75 a month without the opportunities of private practice that prevail in other localities.

The item in the House bill of \$48,000 for the suppression of contagious diseases was approved.

Appropriation for the rat campaign at Honolulu was passed at \$10,000; Hilo was raised from \$5000 to \$6000. Coelho asked for \$3000 for a rat campaign on Maui.

Fairchild showed that the expense appropriation for the Board of Health would cover a rat campaign on Maui. Senator Smith supported a generous appropriation for the extermination of rats. The amendment of \$3000 for Maui was inserted.

For the repairs and equipment of the Honolulu experiment station, \$4000 was approved. The same amount was approved for the Hilo quarantine station. For the keeper \$1440 was passed.

For the care of lepers, \$50,000 for the general payroll was approved.

More for Doctor.

On the motion of McCarthy, a special item of \$300 per month was inserted for the salary of the physician at the Settlement. Senator Fairchild moved to insert a number of new items, including the completion of the hospital, waterworks, ice plant and dormitory, aggregating \$11,975.

The care of lepers, segregation and hospital expense, was passed at \$188,820.

On Makekau's motion a new item was inserted for a new morgue building and attendant at Hilo at \$1500. Another Makekau motion was for the insertion of an item of \$1200 for a horse and wagon at Hilo, but it was lost.

Coelho moved for the insertion of an item of \$15,000 for the construction of a new Kapiolani girls' home. Fairchild wanted the amount itemized so the money would be spent for necessary equipment. McCarthy moved that it be specified that the building be constructed to accommodate one hundred children. The amendment was withdrawn on objections raised by Senator Smith. Senator Moore wanted to know where the building was going to be located. He maintained that the building should be placed in some section more suitable than the present location of the boys' home. The amendment was inserted.

The appropriations for the insane asylum were increased on the House Bill figures, the wages of the women attendants being increased \$5 a month.

Wanted Breakwater.

Coelho stated that some provision should be made for a breakwater and wharf at the Molokai Settlement. He moved for an appropriation of \$6000. Quinn and Fairchild opposed the item on the ground that the Federal government would undertake wharf construction in the future. Coelho withdrew his motion.

Baker moved to amend the \$24,000 appropriated for the Queen's Hospital to \$15,000 and appropriate \$10,000 for the Palama Hospital.

Sensor Smith said that he was informed that the request of Dr. O'Day for an appropriation for the Palama Hospital was unauthorized.

Sensors McCarthy, Smith and Chillingworth opposed any reduction in the appropriation for the Queen's Hospital. McCarthy said that the appropriation of \$24,000 was not sufficient to cover the costs of indigent sick. Chillingworth made the same statement and that those who thought that there was any opposition to indigent persons being admitted were victims of delusion.

Is He an Indigent?

Coelho replied that a patient sent to the Queen's Hospital by Senator Brown had been refused admission, and Chillingworth suggested that Brown make explanations himself.

Brown proceeded to do so, pointing to George Lowe, assistant clerk of the Senate, and Brown's brother-in-law, explaining that Lowe had been refused admission.

Sensor Chillingworth replied that Lowe did not come under the designation of an indigent person and that if he considered himself as such he was not fit to be an officer of the Senate. Coelho indulged in a harangue against the management of the Queen's Hospital, declaring that patients in the hospital were forced to employ physicians attached to the hospital. The item was finally deferred.

A motion for an insertion of \$1200 for the treatment of children at the Palama Hospital was adopted.

Coelho moved for the insertion of a \$1200 item for the payment of traveling expenses for blind persons desiring to come to the Lunalilo Home.

Sensor Smith, a trustee of the home, said that the Lunalilo Home did not desire assistance, and Coelho withdrew his motion.

The case of Lau Dam et al. vs. L. Ah Leong will be argued before the Supreme Court this morning.

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HOUSE

Is there graft in the Legislature of 1909? There are direct denials and challenges for proof, while at the same time statements were made on the floor of the House yesterday that there are matters that require investigation. Graft and attempted bribery are talked about and today a committee to investigate will be named.

The newspapers for the past few days have been reflecting the opinions of some of the members that all is not right. From the day when the Speaker intimated that he regarded certain vouchers presented for payment as evidence that there are some ready to graft if the occasion offers there has been an ugly feeling in the air and more or less guarded charges have been made on the floor of the House in debate and more openly in the lobby and this feeling came to a point yesterday. A story, which is denied very emphatically by those in the best position to know the facts, appeared yesterday in the Bulletin to the effect that some of the Hawaiian members have been introducing irrelevant bills for the simple reason that they, through dummy voucher signers, could get a rake off by translating these bills into Hawaiian.

Kaleiopi took up the matter at once and presented a resolution yesterday afternoon calling for an investigation of the charges made. The various members agreed that such an investigation was needed if the House was to clear itself of the charges made, while Long, who is credited with being the member most pressing in the charges of graft, practically repeated the charges and went further in stating that there was some talk of attempted bribery that likewise required investigation.

Those in charge of the matter of translating state that they desire and will welcome any investigation. Chairman Castro, of the Committee of Public Expenditure, states that since the opening of the session there have been employed as translators only men known to be competent. These are Sheldon (not the member), Boyd, Testa, Poepe, and Kaleo. Some work early in the session was done by the messenger of the House, by John Wise and one or two others, but the payment to these territorial employees was made only on the understanding that no more vouchers in favor of those otherwise under salary would be allowed.

The whole affair arises out of the fuss kicked up on Saturday over the affair of the stenographer, which is the same trouble which has come up in the past two Legislatures—that of extras for stenographer and translation.

Stenographer Lloyd, as a result of his resignation, today out of a job, his resignation having been accepted yesterday by the Speaker. A further result of the trouble will probably be that the rules will be amended before the session is finished doing away altogether with an official stenographer and possibly also cutting out the committee clerks. It is the opinion of those in the House who desire to see business methods introduced into the business of the House that next session the House should employ three or four stenographers at a salary of \$150 a month for the session and to have these stenographers at the services of any of the committees and kept at the House during regular hours to do whatever work they may be called upon to do. By such a system the Territory would be saved some thousand of dollars.

The charges made against some of the House members, unnamed, are ugly ones, but it is not thought that an investigation of them will result in the uncovering of any great graft or even much petty graft. It will result in the exercise of more care in public expenditures for the balance of this session and in succeeding sessions, however, and will possibly bring about a change in the system of having unnecessary officials and paying them salaries three and four times greater than the same men could earn otherwise in any occupation.

Order of the Day.

Only one report, that of the Health and Police Committee tabling one of Kanho's Molokai petitions, was received yesterday morning prior to the taking up of work on the order of the day.

The first bill read a third time, Rice's House Bill 202, to release \$5,775.18 from a special treasury fund and appropriate it to pay the claims against it on account of the special gold certificate deposit, the special silver certificate deposit and special postal money order deposit. This bill passed unanimously.

House Bill 209, Rice, supplying an omitted clause in the bill passed turning over to the counties all license fees, also passed third reading without debate or opposition.

Nearing Fatal Date.

House Bill 129, Kawewehi's two-county bill, was put over again, on motion of the introducer, who has some more fixing up he wants done. This is the fourth time this bill has been deferred on third reading, and the fatal nineteenth of April, after which time the pocket veto will come into effect, is fast approaching.

Governor's Veto.

Secretary McBride appeared in full regalia to deliver a veto message from the Governor during the time that Vice Speaker Rice was in the chair. Ordinarily Rice wears the broadest grin when McBride appears, and his efforts yesterday to be dignified when receiving the Governor's communication was the funniest thing so far of the session, except the attempt of McBride to preserve the solemn expression he puts on with his frock coat.

The message vetoed Nakaleka's bill to put the pay of all public laborers on a minimum of \$1.50 a day, the Governor pointing out how this measure would defeat its own end and throw a number of laborers out of employment. His reasons failed to convince many in the House, Shingle moving that the bill pass notwithstanding the veto, and receiving seconds from every part of the House. The matter was deferred, however, on motion of Rice, until today.

Want No Purchasing Agent.

When consideration of the bill to amend Act 68, the law providing a purchasing agent for the Territory, was up, Shingle proposed a further amendment, his being one to knock

out the purchasing agent altogether. The original amending bill is to simply defer the coming into force of the law until after July 1, to remove the restrictions the Legislature has unwittingly put upon itself in the matter of spending money.

It is understood that the heads of departments indeed hoped to hold up the Legislature money in order to teach the members the inconvenience they had caused and would cause in the future by the law, with the hope that the law would be killed, just as Shingle proposed in his amendment. There are some in the House very much opposed to taking off the restriction so far as the departments were concerned, however, and the members debated until the time for the call on Queen Liliuokalani arrived.

Why Kaleiopi Objected.

Kaleiopi said he thought the heads of departments were only now awaking to the fact that the power they have always had of complete control over the appropriations was slipping away. He favored the bill as it stood and instigated the manner in which the Federal officials had to get pins, ink and paper from Washington. The Territorial purchasing agent would be close to hand always and no trouble to find when his O. K. on legitimate vouchers was needed. Even the Governor could go to him for traveling money without loss of dignity.

Fight on Bill Resumed.

Shingle and Cohen led the fight against the bill after the noon recess, Shingle again moving in amendment that section 8, the section providing for the appointment of such an agent, be cut out of the bill. He pointed out the trouble that would ensue, a trouble, which Cohen described, of the Governor naming an officer to whose music he and the heads of the department would thereafter have to dance.

Douthitt also pointed out cases where trouble and unnecessary delays would result and quoted the Governor to the effect that this section of the bill was bad.

Kaleiopi fought hard for the bill as it stood, being assisted by Kanihau, who moved to indefinitely postpone the amendment. His motion was defeated. "The truth is this," said Kaleiopi, "that when the heads of departments found they were tied up under Act 62 by the Senate amendment, they did not go to the Senate for a remedy, but came here to the House. That is where the trouble comes in. The whole thing in a nutshell is that they want to do just as they please with the appropriations—back hire and smoke hire and any other hire. I move the amendment be indefinitely postponed."

Rice was in favor of the amendment, but said little beyond that.

On a show of hands the amendment carried.

No Use for Old Claims.

The report of the minority of the Public Expenditures and Accounts Committee on the bill to repay the license fees collected in 1900 on licenses to sell imported goods, declared unconstitutional, was presented. The report stated that the claims amounting to \$13,000 were outlawed and that there was no showing that the claims were legal claims at any time. The minority objected to paying these claims and opening the way to further claims aggregating \$50,000 in all. Kawewehi agreed with the minority and moved the adoption of the minority report.

Sheldon made a long and spirited defense of the bill, just as if there was enough money in the Treasury to pay the claims if the bill passed and there was any idea that the bill would get past the Senate. Sheldon spoke altogether in Hawaiian and there was no interpretation.

The minority report was defeated, and that of the majority, carrying a substitute bill through first reading, was adopted.

Motion to Disagree.

House Bill 91, the Depository Bill, came back, bringing with it a number of Senate marks, with which Cohen moved the House do not concur. Rice said the changes were slight and asked for a day in which the House might think them over. His motion carried in spite of Cohen's arguments. The changes in the Senate allow only 75 per cent. of public moneys to be placed in the bank.

A number of routine reports and communications were read and a number of bills received their second reading. Among these was Castro's substitute Primary Law Bill. This, on motion of Castro, was referred to a special committee consisting of one member from each electoral district and one at large. Those named are: Huddly, Cohen, Makekau, Moanui, Carley, Like and Furtado.

Graft Charges in House.

Kaleiopi cleared his throat and personally read the following resolution:

Be It Resolved by the House of Representatives of the Session of 1909, That a committee consisting of the chairman of the Committee on Finance, chairman of the Committee of Public Expenditures and Accounts, and chairman of the Printing Committee, to forthwith investigate into the matter of certain honorable members of this House alleged to have done certain translation work of Hawaiian bills from English under assumed names as published in the Evening Bulletin of this date.

Said committee is hereby authorized to subpoena witnesses, hire attorneys and do every means of bringing this matter to light.

Said committee to report the results of their findings no later than Friday.

A. S. KALEIOPU.

Sheldon moved that the resolution be made to include the chairman of the Education Committee on the investigating committee, he being one named as back of the charges.

"The article in this paper is a charge aimed directly at this House and particularly at the Hawaiian members," said Kaleiopi. "This thing has been brewing for some time on account of the trouble we have had over the stenographer and I now come with this resolution so that this whole matter may be probed."

Castro Denounces Secrecy.

"If anything has been going wrong in this House to the knowledge of any member and he has not revealed it, (Continued on Page Seven.)"